

Applicants: Thomas M. Jessell et al.  
Serial No.: 09/654,462  
Filed: September 1, 2000  
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REMARKS

Claims 1-3 are pending in the subject application. Applicants have hereinabove amended claims 1 and 2. Support for the amendments to these claims may be found, *inter alia*, on page 12 of the specification, lines 3-8 and lines 15-17.

Rejection Under 35 U.S.C. §112, first paragraph

The Examiner rejected claims 1-3 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. The Examiner stated that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Specifically, the Examiner stated that the as-filed specification does not provide support for "progenitor cell of a V2 interneuron" and therefore the amendment introduced new matter.

In response, applicants respectfully traverse. Nevertheless, without conceding the correctness of the Examiner's ground of rejection, applicants have hereinabove amended claims 1 and 2. Claim 1, as amended, no longer recites "a progenitor cell of a V2 interneuron," but instead recites, in relevant part: "a neural stem cell". Applicants note that the Examiner acknowledges on page 3 of the July 27, 2007 Final Office Action that the specification contemplates using a neural stem cell in the claimed method comprising introducing *ex vivo* a nucleic acid which encodes homeodomain transcription factor Nkx6.1 protein. Applicants maintain, therefore, that the specification provides support for amended claims 1 and 2 and that this amendment does not introduce new matter.

Accordingly, applicants maintain that the Examiner's ground of rejection has been overcome and respectfully request that the Examiner reconsider and withdraw this ground of rejection.

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Conclusion

In view of the remarks hereinabove, applicants respectfully submit that the ground of rejection set forth in the July 27, 2007 Final Office Action has been overcome. Applicants therefore respectfully request that the Examiner reconsider and withdraw this ground of rejection and allow claims 1-3 as amended.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the \$405.00 fee for filing a Request For Continued Examination (RCE), is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

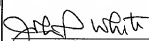
Respectfully submitted,



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